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Via ECF
Via Messenger

October 16, 2013

The Hon. Laura Taylor Swain
United States District Judge
United States District Court
500 Pearl Street
New York, NY 10007

Re: *Universitas Education, LLC v. Nova Group, Inc.*, Case No. 11-1590-LTS-HBP (S.D.N.Y.)

Dear Judge Swain:

We represent Petitioner/Judgment Creditor Universitas Education, LLC ("Universitas") in the above-captioned action, and write to respectfully request a modification to the Order to Show Cause ("OSC") that the Court entered on October 16 (dkt. no. 303).

The OSC sets a hearing date of January 10. We respectfully request that the hearing be moved up to November, since Universitas' preliminary injunction motion will be fully briefed as of November 1. (While the discovery ordered by the OSC extends into December, that discovery is for the underlying turnover motion. We are not seeking discovery for our preliminary injunction motion.)

We are mindful of the Court's busy schedule, including its months-long, Madoff-related criminal trial, and request an earlier hearing date because, as discussed in our moving papers, Universitas faces the risk of irreparable harm if Mr. Carpenter is not enjoined from transferring large sums of money among his many entities. As we envisioned it, the preliminary injunction, if granted, would protect Universitas while its turnover motion against Mr. Carpenter and the other Respondents (entities that are his alter egos or under his control) was *sub judice*.

We estimate that a preliminary injunction hearing will take no longer than three hours. We are available for an in-person or telephonic conference should the Court need additional information.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Michael Barnett".

Michael Barnett
Loeb & Loeb LLP



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cc: Anthony J. Siano (attorney for Mr. Carpenter) (via ECF)
All Other Counsel of Record (via ECF)